

Margret Haswell

Executive, Access and Licensing
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Jules Graham
Customer Relationship Executive
Network Rail Infrastructure Limited
2nd Floor
1 Eversholt Street
London
NW1 2DN

John Carpenter
Policy & Performance Manager
Colas Rail Operations Centre
Mill Road
Rugby
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Dear Jules and John,

Amendment of a track access contract between Network Rail Infrastructure Limited (Network Rail) and Colas Rail Limited (Colas): Sixth Supplemental Agreement.

1. On 1 September 2021 the Office of Rail and Road (**ORR**) approved the sixth Supplemental Agreement (**SA**) to the track access contract (**TAC**) between Network Rail Infrastructure Limited (**Network Rail**) and Colas Rail Limited (**Colas**) under section 22 of the Railways Act 1993 (**the Act**), submitted to us on 26 August 2021. This letter sets out the reasons for our decision.

Background

2. This SA includes the addition of 12 new one-hour 'window' firm rights and four contingent rights, the amendment of 22 existing rights and relinquishment of 20 rights. They are effective from the date of ORR approval until the end of the contract, currently stated to be Principal Change Date 2026.

Consultation

3. This SA went out to consultation on 23 October 2020, closing on 24 November 2020. There was one unresolved issue at the time with a consultee which was being progressed but delayed the process for several months. In order to progress the remainder of the non-contentious changes contained within the 6th SA, Colas and Network Rail decided to remove the services in question from this SA and proceed to formal submission.
4. There are no outstanding unresolved issues with the changes contained within this 6th SA.

ORR Decision

5. This application is under section 22 of the Act and therefore is agreed between the parties and there are no outstanding issues. We are content to approve this agreement.

6. In making this decision, we are satisfied that this decision reflects our duties under section 4 of the Act, in particular:
- (i) to protect the interests of users of railway assets.
 - (ii) to promote the use of railway network in Great Britain for the carriage of passengers and goods and the development of that railway network, to the greatest extent ...economically practicable;
 - (iii) to promote efficiency and economy on the part of the persons providing railway services; and
 - (iv) to enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

Conformed copy

7. Under clause 18.2.4 of the TAC, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and Colas. I look forward to receiving the conformed copy.

Yours sincerely



Margret Haswell